



Congress of the United States
House of Representatives

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January 27, 2020

The Honorable Nancy Pelosi
House of Representatives
H-232, U.S. Capitol
Washington, D.C. 20515

The Honorable Steny Hoyer
House of Representatives
H-107, U.S. Capitol
Washington, D.C. 20515

The Honorable Kevin McCarthy
House of Representatives
H-204, U.S. Capitol
Washington, D.C. 20515

The Honorable Steve Scalise
House of Representatives
H-148, U.S. Capitol
Washington, D.C. 20515

Dear Speaker Pelosi, Majority Leader Hoyer, Minority Leader McCarthy, and Minority Whip Scalise:

As founder and co-chair of the Bipartisan Opioid Task Force, I write today to urge you to schedule a vote on the bipartisan *Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act* in the House of Representatives. This legislation, which passed the U.S. Senate by unanimous consent on January 16th, 2020, would extend the Drug Enforcement Agency’s (DEA) temporary order making fentanyl-related substances Schedule I, a designation reserved for substances that have no currently accepted medical use and a high potential for abuse.

The proliferation of synthetic opioids across the United States has turned an already alarming heroin and opioid crisis into one of the worst public health emergencies in recent memory. In my home state of New Hampshire, nearly 400 people died of overdose deaths related to synthetic drugs like fentanyl and its analogues in 2018. These tragic numbers are unfortunately not unique to New Hampshire, as fentanyl has devastated thousands of communities across the country. According to the Centers for Disease Control and Prevention, since 2013 the United States has found itself in the third wave of the opioid epidemic, where the powerful synthetic opioid fentanyl has led to record levels of overdose deaths. In 2018, there were 32,000 fentanyl-related deaths, an increase of 14% from 28,000 deaths in 2017. Fentanyl and fentanyl analogues represent the lethal face of the opioid epidemic today.

On February 6, 2018, the DEA placed all fentanyl-related substances under Schedule I on a temporary basis for a two-year period. The current temporary scheduling order is set to expire on February 6, 2020. The *Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act* sets a new expiration of May 6, 2021, which will allow DEA to continue to fight these lethal synthetic opioids. In recent testimony before the Energy & Commerce Subcommittee on Oversight and Investigations from the Office of National Drug Control Policy (ONDCP), the ONDCP emphasized the Administration’s “work with the interagency to broaden the universe of synthetic drugs that can be brought under

regulatory control while maintaining our research community's access to these compounds." This 15-month extension would accomplish this stated priority by giving DEA the tools to continue to address the opioid epidemic today while including a study on the impact of classification of fentanyl-related substances as schedule I on public health and safety.

There is no single solution to the opioid crisis. But as our country continues to address this dangerous epidemic, we must explore every available option to reduce fatal overdose rates. I appreciate your efforts on this issue, and request a vote on *Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act* before the current temporary scheduling order expires on February 6, 2020.

Sincerely,



Ann McLane Kuster
Member of Congress